

KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
REGULAR MEETING MINUTES
May 7, 2021

A regular meeting of the Kentucky Board Chiropractic Examiners was held at the Department of Public Licensing located at 500 Mero Street, Frankfort, KY 40601 and via Zoom on May 7, 2021.

MEMBERS PRESENT

Dr. Jeffery Smith
Dr. James England
Dr. Kelly Cooper-Henson
Dr. Shannon Johnson

DEPARTMENT OF PROFESSIONAL LICENSING

Kevin Winstead, Acting Commissioner
Chessica Nation, Administrative Section Supervisor
Robin Vick, Operation Section Supervisor
Tasha Stewart, Board Administrator

OTHERS

Leah Boggs, Legal Counsel

CALL TO ORDER

Dr. Smith called the meeting to order at 12:02 p.m.

Dr. Cooper-Henson was sworn in as a board member.

MINUTES

A motion was made by Dr. Johnson to approve the minutes from the March 12, 2021 board meeting. Motion seconded by Dr. England, carried.

FINANCIAL STATEMENT

The Board reviewed the March and April 2021 financial statements. No action taken.

DPL UPDATE

Commissioner Winstead stated there is no update as to when the Mayo-Underwood building will reopen; however, the option for a virtual meeting will still be available to the board.

Mrs. Vick presented the investigators contract for renewal from July 1, 2021 to June 30, 2022. The contract is capped at \$19,700. Dr. England made a motion to accept the contract as presented. Motion seconded by Dr. Johnson, carried.

LEGAL COUNSEL

Mrs. Boggs presented the FY 2022 Memorandum of Agreement with the Office of Legal Services for legal counsel to the board. There were no changes from the previous MOA. Dr. Smith made a motion to accept the MOA as presented. Motion seconded by Dr. Johnson, carried.

OLD BUSINESS

The board asked the regulations committee to research possible ways to increase interest in the peer review committee. The regulations committee will review and make a recommendation to the board.

The board reviewed a response to a manipulation under anesthesia question. No action taken.

NEW BUSINESS

The board reviewed a thermography scans question. Mrs. Boggs will draft a response letter.

The board reviewed a reinstatement special request. Dr. Johnson made a motion to deny the request. Motion seconded by Dr. England, carried.

The board reviewed updated excerpt pages. Dr. Johnson made a motion to accept the excerpts with amendments. Motion seconded by Dr. Smith, carried.

The board reviewed a drafted regulation update letter. Dr. Johnson made a motion to accept the letter with amendments and send to all active licensees. Motion seconded by Dr. Smith, carried.

Dr. England made a motion to extend the emergency CE motion through the 2022 renewal cycle. Motion seconded by Dr. Johnson, carried.

Dr. Smith appointed Dr. Johnson to the complaints committee.

Dr. Smith appointed Dr. Cooper-Henson to the applications committee.

Dr. Smith appointed Dr. Johnson to the regulations committee.

Dr. England nominated Dr. Johnson to serve as board secretary. Motion seconded by Dr. Smith, carried.

Dr. Johnson made a motion to send Dr. Eric Davis a plaque of appreciation. Motion seconded by Dr. Smith, carried.

The board reviewed a sexual misconduct training acknowledgement letter. No action taken.

The board reviewed a letter submitted by Dr. Chad Henderson outlining the events surrounding his travel request denial. No action taken.

APPLICATIONS COMMITTEE

Dr. Johnson reported that applications review is running smoothly. The committee relaxed the 60 day submission rule during COVID but has since then enforced it more strictly.

Ms. Stewart reported 1114 inactive and active licensees. As of the report run time, 34 chiropractic and 12 peer review licensees have not completed their 2020 renewal. 884 licensees have completed their 2021 renewal.

STATUTES AND REGULATIONS COMMITTEE

Dr. England updated the board on the animal chiropractic discussion. The committee will continue working on draft regulation changes to present to the board.

Dr. Johnson made a motion to accept the changes as presented to the following regulations: 201 KAR 21:035, 201 KAR 21:054, 201 KAR 21:070, 201 KAR 21:090, and 201 KAR 21:100. Motion seconded by Dr. Smith, carried.

COMPLAINTS COMMITTEE

19-003 – ongoing

2019KBCE00005 – ongoing

2019KBCE00012 – ongoing

2020KBCE00001 – ongoing
2020KBCE00005 – ongoing
2020KBCE00007 – ongoing
2020KBCE00008 – dismissed
2020KBCE00011 – ongoing
2020KBCE00013 – ongoing
2020KBCE00014 – ongoing
2021KBCE00001 – ongoing
2021KBCE00003 – ongoing
2021KBCE00004 – ongoing
2021KBCE00005 – dismissed
2021KBCE00006 – dismissed
2021KBCE00007 – dismissed
2021KBCE00008 – ongoing
2021KBCE00009 – ongoing
2021KBCE00010 – ongoing
2021KBCE00011 – ongoing
2021KBCE00012 – ongoing
2021KBCE00013 – ongoing
2021KBCE00014 – ongoing
2021KBCE00015 – ongoing
2021KBCE00016 – ongoing
Ownership Practice Inquiry – sent to the regulations committee
Malpractice Settlement – no action
Massachusetts Complaints - ongoing

A motion and second was made by the complaints committee to accept the complaint recommendations as presented. Motion carried.

TRAVEL AND PER DIEM

A motion was made by Dr. England to approve the following per diem:

- Drs. Cooper-Henson, England, Johnson, and Smith – May 7, 2021 meeting
- Dr. England – May 3, 2021 (3 hours – meeting preparation), and May 6, 2021 (3 hours - meeting preparation).
- Dr. Johnson – May 3, 2021 (3 hours – meeting, meeting preparation, and applications review), and May 6, 2021 (3 hours – meeting, meeting preparation, and applications review).
- Dr. Smith – March 19, 2021 (3 hours – training and meeting), April 8, 2021 (3 hours – correspondence), and May 3, 2021 (3 hours – correspondence, training, and meeting preparation).

Motion seconded by Dr. Smith, carried.

ADJOURN

A motion was made by Dr. Johnson to adjourn the meeting at 1:34 p.m. Motion seconded by Dr. England, carried.



Dr. Jeffery Smith, Chair